



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,048	09/29/2003	Ramkumar N. Raja	6623P001D	5849

34313 7590 12/05/2006

ORRICK, HERRINGTON & SUTCLIFFE, LLP
IP PROSECUTION DEPARTMENT
4 PARK PLAZA
SUITE 1600
IRVINE, CA 92614-2558

EXAMINER

GORT, ELAINE L

ART UNIT	PAPER NUMBER
----------	--------------

3627

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/675,048

Applicant(s)

RAJA, RAMKUMAR N.

Examiner

Elaine Gort

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-20 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-20 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/27/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. **Claim 32 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.** Carrier waves are non-statutory subject matter as they fail to comprise any physical elements and the claims are directed toward a computer program per se and thus do not fall within the technological arts.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 13-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 13 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "the computer-readable medium" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 12-20 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Patent 5,765,140) in view of Microsoft Computer Dictionary and Examiner's Official Notice.

Knudson et al. discloses the claimed method of managing time and expense data associated with a contract, in a data processing system, but is silent regarding the use

Art Unit: 3627

of HTML screens; the specific use of e-mails for delivering notices and the capability of more than one project manager to approve time data.

Microsoft Computer Dictionary discloses that it is known in the art to provide a computer system with the use of HTML screens and e-mail for conveniently communicating within the system. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system of Knudson et al. with the HTML screens and e-mail of Microsoft Computer Dictionary, in order to provide the users the ability to communicate conveniently within the system.

The Examiner takes Official Notice that it is old and well known in the art of project management supervision to have more than one project manager being capable to approve time data to provide a back up in case one manager is unavailable and to share work loads. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system as modified above with the multiple project manager approving capability of Examiner's Official Notice in order to provide a back up in case one manager is unavailable and to share work loads.

Regarding the ability to receive foreign currency, the Examiner takes official notice that it is notoriously old and well known in the art of trade to track transactions in foreign currency when either the customer or supplier is located in a foreign country. Therefore it would have been obvious to one of ordinary skill in the art to provide the system of Knudson et al., as modified above, with the ability to receive foreign currency to provide for when either a customer or supplier is located in a foreign country.

The following is provided for clarification:

A method of managing time and expense data associated with a contract, in a data processing system (Knudson et al disclose a data processing system as shown in figure 3), comprising:

Identifying a contract and its associated projects (Knudson discloses in column 4 lines 20+ where data is associated with separately developed project plans and funding information, therefore the system identifies the associated project plans and funding information);

Accepting guidelines associated with the identified contract and its associated projects (Knudson discloses in column 2 line 5 that the project plan is translated into the master database. Examiner construes this to involve receiving contract terms and guidelines as the project plan defines what must be carried out.);

Receiving expense data corresponding to the contract and its associated projects (Knudson discloses in column 2 line 5 discloses receiving expense data including a list of project tasks. Examiner construes this to involve receiving expense data relating to the project plan.);

Receiving time data corresponding to the contract and the projects via HTML screens (Microsoft Computer Dictionary teaches the use of HTML screens to provide users the ability to communicate conveniently within the system), wherein the means for receiving time data comprises means for dividing the time data into individual cells of time with an associated cell status and routing path (Knudson discloses entry of time data into individual cells of time, for example see figure 4 showing a "TIME SHEET" with

Art Unit: 3627

cells showing hours of time and task definitions. These project tasks are associated with a project plan which identifies where this information should be routed to for tracking and charging. See column 2 lines 15-18 regarding mapping, or "routing" project tasks to the project plan so that cumulative costs may be tracked.);

Routing the received expense and time data to an approving authority responsible for determining whether the expense and/or time data is to be approved (Knudson discloses approving managers as being assigned to verify or reject timesheets and these managers being presented electronically the timesheets. Knudson is silent regarding how this information is presented to the managers. Examiner has used Microsoft Computer Dictionary to teach the use of e-mails for convenient communications within the system and therefore it would have been obvious to use e-mail to either present managers with the time sheets needing approved or to notify them of the need to approve the timesheets.);

Calculating billable costs associated with the received expense data and time data upon approval by the approving authority of the expense data and time data, wherein the billable costs are calculated according to the guidelines associated with the identified contract and its associated projects (Knudson processes expense and time data when it calculates cumulative labor costs for project tasks, column 2 line 16); and

Generating invoices corresponding to the calculated billable costs (Knudson discloses the system carrying out billing activities, for example, column 9 lines 1+. Examiner construes that this "billing" includes generating invoices in order to provide the ability to track and transfer funds for the expenses.)

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elaine Gort whose telephone number is 571/272-6781.

The examiner can normally be reached on Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571/272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Elaine Gort
Primary Examiner
Art Unit 3627

December 1, 2006